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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 000795

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TAGS: [MARR](#) [MASS](#) [MCAP](#) [PREL](#) [RP](#)
SUBJECT: AMBASSADOR REEMPHASIZES EXTRAJUDICIAL KILLINGS,
TERRORISM SUCCESSES WITH PHILIPPINE ARMED FORCES CHIEF

REF: MANILA 426

Classified By: Ambassador Kristie A. Kenney for Reasons
1.4 (b) and (d)

11. (C) SUMMARY: At a private breakfast on March 28, the Ambassador and Philippine Armed Forces Chief General Hermogenes Esperon discussed measures the Philippine government is taking to address extrajudicial killings and progress on the DNA testing of suspected remains of Jemaah Islamiyah terrorist and Bali bomber Dulmatin. The Ambassador emphasized again to Esperon the need to solve the extrajudicial killings problem and conclude outstanding investigations to show that the military will not tolerate these crimes. On Dulmatin, Esperon opined that the DNA analysis was moving slowly and asked for U.S. help in securing DNA samples from the Indonesian government that may help in the FBI's efforts to identify the suspected remains. Despite the delay in obtaining results for the remains, Esperon emphasized the track record of the Philippine security forces over the last 18 months, citing the hundreds of terrorists who have been killed or detained in the Philippines as solid evidence that the U.S.-Philippine strategy against insurgents is working. END SUMMARY.

MILITARY ADDRESSING EXTRAJUDICIAL KILLINGS

12. (C) In a March 28 private breakfast with Philippine Chief of Staff of the Armed Forces General Hermogenes Esperon, Jr., Ambassador Kenney again stressed the need for the Philippine authorities to continue their efforts to address extrajudicial killings. Citing the intense interest in the issue by U.S. government entities and well-respected groups in the United States, the Ambassador emphasized to Esperon that despite gains that had been made in reducing the number of killings, no one in the Philippine government could afford to underestimate this issue, stressing that effective investigations and prosecutions were vital. Esperon agreed, saying that the Philippine military had turned around a history and culture that many had criticized as accepting of extrajudicial violence. Esperon said President Arroyo's address to the military on Armed Services Day in January, in which she made clear that such action will not be tolerated, was a powerful message from the country's leadership that all measures must be taken to resolve the problem of extrajudicial killings.

13. (C) While the Philippine government has taken several measures, Esperon focused on what the Armed Forces of the Philippines had done to combat extrajudicial killings.

According to Esperon, the lack of a Judge Advocate General Corps in the Philippine military has been a key deficiency in the armed forces ability to bring legal proceedings against military personnel accused of human rights abuses, to include extrajudicial killings. To improve that ability, Esperon said the armed forces are studying a proposal to embed paralegals with troops so that field units will have a resource for legal issues, while the Office of Inspector General (OIG) may be augmented to bolster investigative capability at headquarters. Esperon pointed to more personnel on the military's human rights desk and his personal conversations with Philippine National Police Director Razon that they must coordinate to eliminate the problem of extrajudicial killings as proof of the government's desire to be responsive on the issue.

¶4. (C) In being responsive to allegations of abuses of authority, the Ambassador said that Philippine authorities needed to investigate and prosecute cases if they want to provide convincing evidence of their commitment to halt extrajudicial killings. Esperon concurred and thanked the Ambassador for recent assistance from U.S. Federal Bureau of Investigation (FBI) agents in helping improve the ability of military personnel and police to secure a scene and gather evidence. The Ambassador also stressed that the military needed whistleblower protection for those willing to come forward in human rights cases, a suggestion that Esperon said the military was working to implement by strengthening their OIG office functions.

WAITING ON DULMATIN DNA RESULTS

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¶5. (C) The Ambassador and Esperon discussed the ongoing DNA analysis of the suspected remains of Bali bomber Dulmatin discovered on February 18, in the aftermath of a January 31 firefight between Philippine troops and insurgents on Tawi-Tawi (reftel). A deadly terrorist, Jemaah Islamiyah senior member Dulmatin is listed as a top fugitive by authorities in Indonesia and the Philippines and is wanted under the Rewards for Justice program for up to \$10 million. Dulmatin has key ties with senior Abu Sayyaf Group and Jemaah Islamiyah leaders in the Philippines and Indonesia. He is an explosive and electronics expert implicated in a number of terrorist operations in Southeast Asia, including the December 2000 Christmas Eve church bombings, which left 19 dead throughout Indonesia, the October 2002 Bali nightclub bombing that killed 202 people, including six Americans, and the February 2005 Valentines Day bombings in Manila, General Santos City, and Davao, which left 12 dead.

¶6. (C) Esperon lamented that the DNA analysis was progressing slowly and asked the Ambassador for assistance in convincing Indonesian officials to release known Dulamatin DNA samples that could be compared to DNA samples from the remains. In response, the Ambassador said the Embassy had encouraged the Philippine police to reach out to their Indonesian counterparts, with whom relations are good, to try to break the logjam in obtaining the samples. At the same time, the Ambassador reassured Esperon that once definitive results were known, the Philippine government would be notified immediately.

ESPERON'S SEES SUSTAINED PROGRESS AS TERM ENDS

¶7. (C) Esperon is slated to step down on May 8 at the end of his three-month extension as Armed Forces Chief of Staff. Reflecting on his tenure, Esperon said he was pleased with the many successes joint U.S.-Philippine cooperation had produced in the fight against terrorism in the last 18 months, with hundreds of terrorists killed or detained. Esperon was confident that his successor, current Philippine Army Chief Lieutenant General Alexander Yano, will continue

the strong military counterinsurgency and counterterrorism efforts. Esperon said that he was pleased to have Brigadier General Juancho Sabban, who had led Philippine troops in largely pacifying Basilan -- a former terrorist stronghold -- as the new commander in Jolo, where Esperon said Sabban's experience in mixing hard and soft power will be valuable in bringing peace to the island. Esperon also thanked the Embassy for its assistance in sending FBI personnel to Jolo to help train elements of the new Jolo Internal Defense Force, which combines military and police units to create a force that will focus not only on defeating the terrorists, but also on strengthening civil authorities' capacity to provide greater rule of law to Jolo's population.

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